

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10601 of 2022

Raghunath Suna

....

Petitioner

Mr. S.K. Panda , Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. S. Patra, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
19.12.2022

Order No.

02.

1. Heard learned counsel for the petitioner and learned counsel for the State.
2. The petitioner is an accused in connection with G.R. Case No.2222 of 2022, pending in the Court of the learned S.D.J.M. Sambalpur, arising out of Dhanupali P.S. Case No.192 of 2022, for alleged commission of offences under Sections 395 of IPC.
3. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Sambalpur, by order dated 12.10.2022 in the aforementioned case, the present BLAPL has been filed.
4. It is submitted by the learned counsel that the petitioner is in custody since 11.06.2022 and since charge-sheet has been filed on 07.10.2022, further continuance of the petitioner in custody is not warranted.
5. Learned counsel for the petitioner relies on the order dated 08.12.2022 passed by this Court in respect of co-accused Balaram Kisan @ Balaram @ Bala Kisan in BLAPL No.7365 of 2022 and

also release of co-accused by this Court by order dated 01.12.2022 in BLAPL No.7395 of 2022 and he seeks release inter alia on the ground of parity.

6. Learned counsel for the State opposes the prayer for bail relying on the order of rejection.

7. Taking into account the release of the co-accused, and period of custody and filing of charge sheet, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin.

8. Taking into account the criminal proclivity, as it is stated that petitioner is an accused in Sonepur P.S. Case No.79 of 2021, this Court directs the petitioner to appear before the jurisdictional police station once every week on such date and time to be fixed by the learned Court in seisin till conclusion of trial.

9. Before releasing the petitioner on bail, learned Court in seisin is called upon to verify as to whether petitioner has any other criminal antecedent of similar nature than the one noted above. If it comes to fore that the petitioner has any other antecedent, this order shall stand recalled.

10. Accordingly, the BLAPL stands disposed of.

11. Urgent certified copy of this order be granted as per rules.

(V. NARASINGH)
Judge

Santoshi